

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

ACE American Insurance Co.,
Plaintiff

v.

Civil No. 06-cv-066-SM

Fountain Powerboats, Inc., and
Silver Sands Marina, Inc.,
Defendants

O R D E R

Granted (document no. 14). Plaintiff has not objected to defendants' motion to dismiss Counts I and II of the complaint. The motion is granted for the reasons given in defendants' motion and supporting memorandum of law. Counts I and II are dismissed for failure to state a products liability claim as the only loss alleged is an economic loss to the allegedly defective product itself.

SO ORDERED.



Steven J. McAuliffe
Chief Judge

October 5, 2006

cc: Paul F. Cavanaugh, Esq.
Timothy G. Sheedy, Esq.
Dean B. Eggert, Esq.
Michael S. Kinson, Esq.